

## **CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/567,520 is being electronically transmitted to the Commissioner for Patents via EFS-WEB, on February 9, 2007

/Kevin G. Rooney/  
Kevin G. Rooney, Reg. No. 36,330

February 9, 2007  
Date

**PATENT**

### **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Yifei HUANG et al.  
Serial No.: 10/567,520  
Filed: February 7, 2006  
Examiner: Unknown  
Art Unit: Unknown  
Title: AN IMPLANTABLE DIRECT CARDIAC COMPRESSION DEVICE  
AND SYSTEM  
Conf. No.: 8970  
Atty Docket: SPRU-04

Cincinnati, Ohio

February 9, 2007

### **RESPONSE TO NOTICE TO FILE MISSING PARTS AND SUBMISSION OF APPLICATION DATA SHEET**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed August 10, 2006, please find enclosed herewith a copy of such Notice and an executed Declaration, Power of Attorney and Petitions.

Also enclosed is an Application Data Sheet which lists the inventors in the desired order pursuant to MPEP § 605.04(f). Please update the Patent Office records accordingly such that any issued patent lists the inventors in this order.

Applicants do not believe that any other fees are due in connection with this response other than the extension fee. However, if such petition is due or any other fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/567.520

FIRST NAMED APPLICANT

Stephen Nicholas Hunyor

ATTY. DOCKET NO.

SPRU-04

INTERNATIONAL APPLICATION NO.

PCT/AU04/01073

L.A. FILING DATE

08/12/2004

PRIORITY DATE

08/12/2003

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CONFIRMATION NO. 8970

## 371 FORMALITIES LETTER



\*QC000000019973918\*

Date Mailed: 08/10/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/07/2006
- Copy of the International Search Report filed on 02/07/2006
- Copy of IPE Report filed on 02/07/2006
- Information Disclosure Statements filed on 02/07/2006
- Oath or Declaration filed on 02/07/2006
- U.S. Basic National Fees filed on 02/07/2006
- Priority Documents filed on 02/07/2006
- Power of Attorney filed on 02/07/2006
- Specification filed on 02/07/2006
- Claims filed on 02/07/2006
- Abstracts filed on 02/07/2006
- Drawings filed on 02/07/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,520	PCT/AU04/01073	SPRU-04